

TESTIMONY ON MC 19-86  
BY SENATOR STEWART BAINUM, JR.  
MONTGOMERY COUNTY COUNCIL  
APRIL 22, 1986

I regret being unable to attend today's hearing, but appreciate the opportunity to submit written testimony in support of MC 19-86, which authorizes collective bargaining for 3600 Montgomery County employees. I understand the bill before you represents the result of a year long effort by the County Executive, the Personnel Committee of the County Council, and MCGEO-Local 400 to reach agreement on this issue, and I want to commend these parties for their contributions.

In general, I am pleased with the legislation. For over 50 years private sector employees have enjoyed the right of collective bargaining, as granted by the National Labor Relations Act of 1935. In a democratic society, discrimination should not exist between private and public sector workers. In many cases, employees in both sectors possess the same skills and perform the same functions. Fairness dictates that public sector workers be accorded the rights of their private sector counterparts.

Collective bargaining simply grants employees a voice in determining the economic and non-economic conditions of their employment. Under "meet and confer" conditions, the employer is not obligated to act in good faith towards the resolution of conflict. Collective bargaining, on the other hand, bestows real power on the workers. Subsequent negotiation between equal units can and does result in the amicable resolution of grievances, and achieves greater consistency in personnel policies.

Twenty-two states recognize the fairness in this policy, and have thus conferred such power on all public employees. Eighteen other states, including Maryland, have provided collective bargaining for selected employees by means of county and local ordinances. At present, various Montgomery County workers possess this right, including the police, the firefighters and employees of the Washington Suburban Sanitary Commission and the Montgomery County Education Association. MC 19-86 simply expands collective bargaining to incorporate a greater number of County workers.

As stated earlier, I do support the legislation. However, I am concerned about the provision defining the topics of negotiation. Pensions constitute an important, if not the most important, element in a worker's benefits package. At present, defined contribution pension plans do not exist, and if the legislation is not approved, no discussion of pensions will be allowed.

I am also concerned about the procedures for ending negotiation impasses. Although the method outlined in the bill parallels the existing process for Montgomery County police, I am afraid an increasing amount of County Council time may have to be devoted towards this end, and I wonder whether such activity is appropriate.

Again, thank you for allowing me the opportunity to offer my comments. I am convinced MC 19-86 will result in more harmonious labor relations and greater efficiency in public administration, and therefore hope you will approve the measure.